

**SUPREME COURT MINUTES
MONDAY, MAY 22, 2000
SAN FRANCISCO, CALIFORNIA**

S075342 In re Lucero L., a Person Coming Under the Juvenile Court Law

San Diego County Health and Human Services Agency,
Plaintiff and Respondent,

v.

Otilio L. et al., Defendants and Appellants.

We affirm the judgment of the Court of Appeal.

Mosk, J.

We Concur:

George, C.J.

Werdegar, J.

Concurring Opinion by Kennard, J.

I Concur:

Brown, J.

Concurring Opinion by Chin, J.

I Concur:

Baxter, J.

Orders were filed in the following matters extending the time within which to grant or deny a petition for review to and including the date indicated, or until review is either granted or denied:

A085781/S086997 People v. Derrick Pittman – June 21, 2000.

B124058/S086823 People v. Frank Noel Markham – June 15, 2000.

B125318/S086956 People v. Joshua Sherman – June 21, 2000.

B127931/S086952 KNB Enterprises v. Greg W. Matthews – June 21, 2000.

E022797/S087018 People v. David Chesneau – June 22, 2000.

5th Dist. People, Respondent

F031691 v.

S086688 Alfredo Pasamante III, Appellant

The order filed on May 11, 2000, extending time to grant or deny review in the above matter until June 12, 2000, is hereby vacated.

S007531 People, Respondent

v.

Kevin Bernard Haley, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including July 21, 2000.

S050102 People, Respondent

v.

Paul Hensley, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including July 25, 2000, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S075679 In re William Kirkpatrick

on

Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's informal response to the petition for writ of habeas corpus is extended to and including June 21, 2000.

No further extensions of time will be granted.

9th Cir. Blue Ridge Insurance Company, Appellant

#98-55052 v.

S083934 Brigitte Jacobsen et al., Appellants

The order filed on April 19, 2000, is hereby amended to read:

On application of appellant Blue Ridge Insurance Company, and good cause appearing, it is ordered that the time to serve and file appellant's brief on the merits is extended to and including May 22, 2000.

S085410 People, Respondent

v.

Marcos Trevino, Appellant

In re Marcos Trevino on Habeas Corpus

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's answer brief on the merits is extended to and including June 19, 2000.

S086502 Thomas Winston Moore, Petitioner

v.

Board of Prison Terms et al., Respondents

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file the informal response is extended to and including June 14, 2000.

S087643 In re Christopher Clark Box

on

Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's informal response to the petition for writ of habeas corpus is extended to and including July 31, 2000.

S083632 Heather Preston, Appellant

v.

State Board of Equalization, Respondent

The application of Graphic Artists Guild for permission to file an amicus curiae brief in support of appellant is hereby granted.

An answer thereto may be served and filed by any party within twenty days of the filing of the brief.

S072196 In the Matter of Suspension of Attorneys

Pursuant to Rule 962, California Rules of Court

Thomas M. Wright, #147832, was listed by the State Department of Social Services as being in arrears in payment of support obligations. He later obtained the necessary release from the appropriate District Attorney. He has subsequently been identified by the Department of Social Services as again being delinquent. Pursuant to Rule 962(a) of the California Rules of Court, IT IS

HEREBY ORDERED that **Thomas M. Wright**, be suspended from membership in the State Bar of California and from the rights and privileges of an attorney to act from and after **June 23, 2000**.

IT IS FURTHER ORDERED that upon receipt by the State Bar of California of a release issued by the appropriate District Attorney pursuant to subdivision (1) of section 11350.6 of the Welfare and Institutions Code, the State Bar shall certify the fact of the receipt of such release to the Clerk of the Supreme Court and the suspension shall be terminated by order of this Court and he shall be fully restored to membership in the State Bar of California, and to all rights and privileges, duties and responsibilities incident thereto;

IT IS FURTHER ORDERED that until restored as above provided, he shall be precluded from practicing as an attorney at law, or an attorney or agent of another in and before all the courts, commissions and tribunals of this state, and from holding himself out to the public as an attorney or counsel at law.

S082835 In re **Catherine Thuy Thanh Sanchirico** on Discipline

It is ordered that **Catherine Thuy Thanh Sanchirico, State Bar No. 170682**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that she be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed January 14, 2000. Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in equal amounts prior to February 1 of calendar years 2001, 2002, 2003 and 2004.

S086621 In re **Deloris Ann Brown** on Discipline

It is ordered that **Deloris Ann Brown, State Bar No. 107776**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that she be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation executed February 7, 2000. Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in equal amounts prior to February 1 of calendar years 2001, 2002 and 2003.

S086626 In re **Bryant K. Calloway** on Discipline

It is ordered that **Bryant K. Calloway, State Bar No. 140431**, be suspended from the practice of law for one year and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, and until he makes restitution to Donna Daniels (or the Client Security Fund, if appropriate) in the amount of \$8500 and provides satisfactory proof thereof to the State Bar Probation Unit; that execution of suspension be stayed; and that he be placed on probation for two years subject to the conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its order approving stipulation executed January 20, 2000. Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

S086630 In re **Malcolm Levinthal** on Discipline

It is ordered that **Malcolm Levinthal, State Bar No. 32209**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation executed on January 25, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

S086633 In re **Walter F. Wiggins, Jr.**, on Discipline

It is ordered that **Walter F. Wiggins, Jr., State Bar No. 138403**, be suspended from the practice of law for six months, that execution of suspension be stayed, and that he be placed on probation for 18 months subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed November 16, 1999. Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

S086636 In re **Luis Rene Valdez** on Discipline

It is ordered that **Luis Rene Valdez, State Bar No. 153865**, be suspended from the practice of law for six months, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed December 31, 1999. Costs are awarded to the State Bar pursuant and one-half of said costs shall be added to and become part of the membership fees for the years 2001 and 2002. (Bus. & Prof. Code section 6086.10.)

S086678 In re **James Harvey Sloey** on Discipline

It is ordered that **James Harvey Sloey, State Bar No. 78180**, be suspended from the practice of law for 30 months, that execution of suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including restitution to Holy DiMuccio (or the Client Security Fund, if appropriate) in the sum of \$63,980.50 plus 10% interest per annum from December 1, 1988. It is further ordered that he comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation executed on February 7, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and payable in equal installments prior to February 1 of calendar years 2001, 2002 and 2003.

S086679 In re **Donald Joseph Zaitzow** on Discipline

It is ordered that **Donald Joseph Zaitzow, State Bar No. 99213**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for one year on condition that he be actually suspended for 75 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation executed January 12, 2000. Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance in equal amounts prior to February 1 of calendar years 2000 and 2001.

S086680 In re **Marlene Yvette Bishop** on Discipline

It is ordered that **Marlene Yvette Bishop**, State Bar No. 94732, be suspended from the practice of law for one year, that execution of suspension be stayed, and that she be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed November 24, 1999, as modified by its order filed December 20, 1999. It is further ordered that she take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-half of said costs shall be added to and become part of the membership fees for the years 2001 and 2002. (Bus. & Prof. Code section 6140.7.)

S086684 In re **Rudy David Guzzetta** on Discipline

It is ordered that **Rudy David Guzzetta**, State Bar No. 59450, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed January 18, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

S086749 In re **Robert Alan Walker** on Discipline

It is hereby ordered that **Robert Alan Walker**, State Bar No. 158171, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S086750 In re **Richard James Cooper** on Discipline

It is ordered that **Richard James Cooper, State Bar No. 88156**, be actually suspended from the practice of law for six months and until he makes restitution to Michael A. McCabe (or the Client Security Fund, if appropriate) in the amount of \$1750 plus 10% interest per annum from September 9, 1997, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of Trial Counsel, as recommended by the Hearing Department of the State Bar Court in its decision filed January 31, 2000; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205, Rules of Procedure of the State Bar of California. Respondent is also ordered to comply with the other conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If respondent is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that respondent comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

*See Business & Professions Code, § 6126, subdivision (c).